

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION

JOHN W. HOWARD
and
CARRIE HOWARD

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Plaintiffs

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v.

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Civil Action No. JFM03CV421

McCORMICK ASBESTOS CO., et al.,

*

Defendants

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NOTICE OF TAG-ALONG ACTION

PLEASE TAKE NOTICE THAT on July 29, 1991, the Judicial Panel on Multidistrict Litigation entered an order transferring all asbestos cases pending in federal court to the United States District Court, Eastern District of Pennsylvania, for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407 ("MDL Transfer Order"). That order also applies to "tag-along actions", or actions involving common questions of fact after the January 17, 1991 filings of the Panel's Order to Show Cause. MDL Rule 13(e) provides:

Any party or counsel in actions previously transferred under Section 1407 or under consideration by the Panel for transfer under Section 1407 shall promptly notify the Clerk of the Panel of any potential "tag-along actions" in which that party is also named or in which that counsel appears.

The undersigned hereby notifies the court that this is a potential "tag-along action" which may be subject to transfer to the Eastern District of Pennsylvania. The Clerk of the Panel may either (1) enter a conditional transfer order pursuant to MDL Rule 12(a) or (2) file an order to show cause why the action should not be transferred, pursuant to MDL Rule 13(b).

Respectfully submitted,

/s/David W. Allen

David W. Allen (#00208)

Malcolm S. Brisker (#26048)

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Attorneys for Defendant Hopeman Brothers, Inc.

Mailed to:

Michael J. Beck

Clerk of the Panel

Judicial Panel on Multidistrict Litigation

Thurgood Marshall Federal Judiciary Building

One Columbus Circle, N.E., Room G-255, North Lobby

Washington, D.C. 20002-8004

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of March, 2003, a copy of the foregoing was served by electronic submission via CM/ECF, in accordance with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the District of Maryland, to:

Peter T. Nicholl, Esquire
The Law Offices of Peter T. Nicholl
36 South Charles Street, Suite 1700
Baltimore, MD 21201

And All Other Counsel of Record

/s/David W. Allen
David W. Allen (#00208)

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NOTICE OF FILING NOTICE OF TAG-ALONG ACTION

PLEASE TAKE NOTICE that on the 25th day of March, 2003, Defendant, Hopeman Brothers Inc., filed in the United States District Court for the Eastern District of Pennsylvania its Notice of Tag-Along Action of this action to. A copy of this Notice of Tag-Along Action is attached.

Respectfully submitted,

/s/David W. Allen

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